THE HON'BLE MR JUSTICE S.ANANDA REDDY

FRIDAY, THE 5TH DAY OF AUGUST, 2005

WRIT PETITION NO : 9178 of 2005

Between:

D. Vijender …Petitioner

And

1. The Asst. Commandant,CISF Unit,

SSCL/GDK Area,

P.O.Godavarikhani,

Kharimnagar District and another … Respondents

THE HON'BLE MR JUSTICE S.ANANDA REDDY

FRIDAY, THE 5TH DAY OF AUGUST, 2005

WRIT PETITION NO : 9178 of 2005

ORDER:

This writ petition is filed by the petitioner, who is a Constable in the Central Industrial Security Force, aggrieved by the proceedings of the 1st respondent dated 12-04-2005 under which the scheme 'Assured Career Progression Benefit Scheme' extended to the petitioner was proposed to withdraw and order recovery of the amounts paid under the said scheme.

The grievance of the petitioner is that the impugned order was passed without any notice and without considering the claim of the petitioner.

However, at the time of hearing, it is represented by the learned counsel for the petitioner that in another similar matter in the case of ***"MD.H. AHMAD AND OTHERS v. THE DEPUTY COMMANDANT, CISF UNIT AND OTHERS"*** in W.P.No.22753 of 2004 dated 20-06-2005, the petitioners therein were directed to avail the remedy of representation to be made under Rule 56 of the C.I.S.F.Rules, 2001. The said order was passed by this Court without considering the merits of the rival contentions and therefore, sought for similar order.

Under the above circumstances, the writ petition is disposed of at the admission stage, after hearing both sides, directing the petitioner to avail the remedy of representation, i.e. representation as provided under Rule 56 of the C.I.S.F. Rules, 2001, and on such representation made by the petitioner before the 2nd respondent, the 2nd respondent is directed to dispose of the same within four weeks from the date of its receipt after giving reasonable opportunity to the petitioner. No costs.

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S. ANANDA REDDY, J.

Dated: 05..08..2005.

Note: CC within three days.

(B/O)

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